

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE ESTATE OF CHI MODU,

Plaintiff,

-v-

TOWNSQUARE MEDIA, INC., et al.,

Defendants.  
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22 Civ. 5311 (PAE)

ORDER OF DISMISSAL

PAUL A. ENGELMAYER, District Judge:

On October 6, 2022, the Court issued an order to show cause why the claims against defendants Does 1-10 should not be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41. Dkt. 12. On June 23, 2022, plaintiff filed the complaint in this action. Dkt. 1. On September 26, 2022, service of process was executed on defendant Townsquare Media, Inc. See Dkt. 14. Defendants Does 1-10 have not been served, and accordingly, have not appeared in this action or otherwise responded to the complaint.

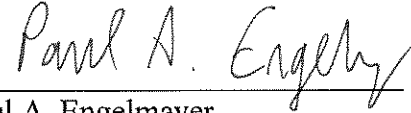
The Court's October 6, 2022 order to show cause advised that cause may be shown by advising the Court in writing by October 13, 2022 why plaintiff has failed to serve the Summons and Complaint within the 90-day period on defendants Does 1-10. Dkt. 12. The Court did not receive any written communication from plaintiff by October 13, 2022 advising the Court on the status of service as to defendants Does 1-10.

Accordingly, under Federal Rule of Civil Procedure 41(b) and the Court's inherent power, *see Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-32 (1962), the Court hereby dismisses the claims against Does 1-10, without prejudice, for the plaintiff's failure to prosecute.

The Clerk of Court is respectfully directed to dismiss all claims as against defendants

Does 1-10.

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer".

Paul A. Engelmayer  
United States District Judge

Dated: October 17, 2022  
New York, New York